

REMARKS

Claims 35, 37, 41, 44, 47, 50, 53, 56 and 59 are pending. Claims 33, 41, 44, 47, 50 and 59 are rejected and claims 35, 37, 53 and 56 are objected to. Applicants traverse the rejections. Claims 32, 34, 36, 38-40, 42-43, 45-46, 48-49, 51-52, 54-55, 57-58 and 60-107 are withdrawn from consideration.

In this Amendment, claim 33 is canceled without prejudice and claims 35, 41, 44, 47, 50 and 53 are amended. Withdrawn claims 32, 34, 36, 38-40, 42-43, 45-46, 48-49, 51-52, 54-55, 57-58 and 60-107 are also canceled. In particular, claims 35 and 53 are rewritten in independent form and the dependencies of claims 41, 44, 47 and 50 are corrected to depend from claim 35. Thus, Applicants submit that the amendments are supported by the specification and the claims as originally filed. No new matter is added.

Applicants thank the Examiner for the indication that claims 35, 37, 53 and 56 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Entry of this Amendment is proper under 37 C.F.R. § 1.116 since this Amendment: (a) places the application in condition for allowance for reasons discussed herein; (b) does not raise any new issue regarding further search and/or consideration since the Amendment amplifies issues previously discussed throughout prosecution; (c) does not present any additional claims without canceling a corresponding number of finally-rejected claims and (d) places the application in better form for appeal, should an appeal be necessary.

Claim 33 is again rejected under 35 U.S.C. § 102(b) as being anticipated by Tanaka et al. (U.S. Patent No. 5,718,620), as set forth in the Office Action dated September 23, 2003.

Applicants respectfully submit that this rejection is rendered moot by the cancellation of claim 33. Thus, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 33 under 35 U.S.C. § 102(b) as anticipated by Tanaka et al.

Claims 41 and 59 are rejected under 35 U.S.C. § 103(a) as being obvious over Tanaka et al. in view of Morimoto et al. (U.S. Patent No. 5,127,196). Claims 44, 47 and 50 are rejected under 35 U.S.C. § 103(a) as being obvious over Tanaka et al. The Office Action repeats these rejections from the Office Action dated September 23, 2003.

Applicants respectfully submit that these rejections under 35 U.S.C. § 103(a) are rendered moot by the above claim amendments. Claims 41, 44, 47, 50 and 59 depend from allowable claims 35 and 53 and are thus also patentable for at least the same reasons. Further, the Office Action admitted that claim 56 contains allowable subject matter (see above, and Office Action, page 3, paragraph 7). As claim 59 is dependent on claim 56, Applicants note that claim 59 should not have been rejected as being obvious over Tanaka et al. in view of Morimoto et al. Thus, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 41 and 59 under 35 U.S.C. § 103(a) as obvious over Tanaka et al. in view of Morimoto et al. and the rejection of claims 44, 47, and 50 under 35 U.S.C. § 103(a) as obvious over Tanaka et

al.

In view of the above remarks, Applicants respectfully submit that this application is in condition for allowance and request favorable action thereon.

In the event this paper is not considered to be timely filed, Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2300. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300, referencing Attorney Docket No. 107242-00023.

Respectfully submitted,

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